

### ***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-31 are pending in the application, with claims 1, 7, 13 and 19 being the independent claims. Claims 29-31 are newly added and claims 1, 7, 13, 19 and 25-28 have been amended to more clearly and distinctly point out the subject matter of the invention. Descriptive support for the amendment is found in the specification as filed. The amendment is believed to introduce no new matter, and its entry is respectfully requested.

Claims 1, 2, 7, 8, 13, 14, 19, 20 and 26-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2001/0032137 to Bennett, *et al.* (hereinafter, "Bennet"). Claims 3, 4, 9, 10, 15, 16, 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bennett in view of U.S. Patent No. 4,723, 212 to Mindrum (hereinafter, "Mindrum"). Claims 5, 11, 17 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bennett in view of U.S. Patent No. 6,076,101 to Kamakura (hereinafter, "Kamakura"). Claims 6, 12, 18 and 24 stand rejected under 35 U.S.C. § 103(a) stand rejected as being unpatentable over Bennett in view of Kamakura and further in view of Mindrum.

Based on the above amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and they be withdrawn.

#### ***I. Claims 1, 2, 7, 8, 13, 14, 19, 20 and 25-31 are Patentable over Bennett***

Claims 1, 2, 7, 8, 13, 14, 19, 20 and 25-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2001/0032137 to Bennett, *et al.* (hereinafter, "Bennett"). For the following reasons, this rejection is respectfully traversed.

Each of the independent claims 1, 7, 13 and 19 recite the generation of an individually personalized e-mail for a patron, wherein the e-mail contains multiple pieces of content corresponding to a distinct campaign. Bennett fails to disclose or suggest this recitation of the claims.

As explained in Applicants' previous responses, Bennett discloses an information distribution and redemption system for creating and sending e-mail messages. *See Abstract.* The

system disclosed by Bennett may generate e-mail targeted to an interested subset of a merchant's patrons. *See* ¶¶ 0008-0009. The system disclosed by Bennett may also generate "cross-merchant" e-mails where multiple merchants have "similar type[s] of patrons," as noted by the Examiner in the Office Action. (Office Action at pp.2-3.) However, Bennett fails to disclose generating an *individually personalized* e-mail for each one of a plurality of patrons wherein the e-mail contains multiple pieces and each piece of content corresponds to a distinct campaign.

While Bennett discloses that "[m]erchants with significant overlap may use each other's email messages for marketing purposes" (*see* ¶ 0018), these e-mails are not *individually personalized* for each patron. Rather, these e-mails are only utilized where two merchants share a number of patrons and can thus send out a single e-mail to all of their shared patrons. *See* ¶ 0074. Bennett offers an example to further illustrate the use of cross-merchant e-mails:

[A]ssume a number of patrons 26 participating in the system appear to make regular purchases both a card merchant and a florist merchant. If a *statistically high enough level of patrons* frequent both merchants 20, it may be desirable to propose to the two merchants that they cooperate in a communication focusing on developing additional cross-traffic between the two merchants.

*See* ¶ 0074 (emphasis added). As illustrated by this example, Bennett does not disclose the creation of *individually personalized* e-mail for each one of a plurality of patrons wherein the e-mail contains multiple pieces and each piece of content corresponds to a distinct campaign. As such, Bennett fails to disclose each and every element of the independent claims.

Additionally, each of the independent claims 1, 7, 13 and 19 recite the identification of each of the patron's travel-related activity and matching the multiple pieces of content to a patron based on the patron's individual corresponding travel-related activity. Bennett also fails to disclose or suggest this recitation of the claims.

While Bennett may disclose the use of cross-merchant e-mails, as mentioned above, Bennett fails to disclose identifying the travel-related activity of each recipient of the cross-merchant e-mails. Indeed, Bennett fails to disclose or suggest the identification of any activity of the recipient of the e-mails. Rather, Bennett merely discloses sending out e-mails to individuals identified by the *merchants* utilizing the services offered by the Bennett system. *See* ¶ 0074.

Because Bennett fails to disclose or suggest all of the recitations of claims 1, 7, 13 and 19, as discussed above, claims 1, 7, 13 and 19 are allowable over Bennett. Claims 2, 8, 14, 20

and 25-31 depend from one of claims 1, 7, 13 and 19 and are allowable for at least these reasons.

Therefore, Applicants respectfully request that the Examiner withdraw the rejection of the claims under 35 U.S.C. § 102(e).

**II. *Claims 3, 4, 9, 10, 15, 16, 21 and 22 are Patentable over Bennett in view of Mindrum***

Claims 3, 4, 9, 10, 15, 16, 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bennett in view of U.S. Patent No. 4,723, 212 to Mindrum (hereinafter, "Mindrum"). For the following reasons, this rejection is respectfully traversed.

As discussed above, Bennett fails to disclose all features of independent claims 1, 7, 13 and 19, from which claims 3, 4, 9, 10, 15, 16, 21 and 22 depend. Mindrum does nothing to compensate for the illustrated deficiencies of Bennett.

Mindrum relates to an apparatus for printing coupons at a checkout terminal in a store. *See* col.1, ll.60-65. However, there is no mention in Mindrum of generating e-mail, let alone generating an individually personalized e-mail containing multiple pieces of content, each piece of content corresponding to a distinct campaign. As such, Mindrum fails to cure the deficiencies of Bennett discussed above.

Because Mindrum fails to cure the deficiencies of Bennett discussed above, claims 1, 7, 13 and 19 are allowable over Bennett in view of Mindrum. Claims 3, 4, 9, 10, 15, 16, 21 and 22 depend from one of claims 1, 7, 13 and 19 and are allowable for at least these reasons. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 3, 4, 9, 10, 15, 16, 21 and 22.

**III. *Claims 5, 11, 17 and 23 are Patentable over Bennett in view of Kamakura***

Claims 5, 11, 17 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bennett in view of U.S. Patent No. 6,076,101 to Kamakura (hereinafter, "Kamakura"). For the following reasons, this rejection is respectfully traversed.

As discussed above, Bennett fails to disclose all features of independent claims 1, 7, 13 and 19, from which claims 3, 4, 9, 10, 15, 16, 21 and 22 depend. Kamakura does nothing to compensate for the illustrated deficiencies of Bennett.

Kamakura relates to a target e-mail system which seeks to encourage recipients to open e-mails and award rewards (such as bonus points) when a recipient opens an e-mail. *See* Abstract. However, there is no mention in Kamakura of generating an individually personalized e-mail containing multiple pieces of content, each piece of content corresponding to a distinct campaign. As such, Kamakura fails to cure the deficiencies of Bennett discussed above.

Because Kamakura fails to cure the deficiencies of Bennett discussed above, claims 1, 7, 13 and 19 are allowable over Bennett in view of Kamakura. Claims 5, 11, 17 and 23 depend from one of claims 1, 7, 13 and 19 and are allowable for at least these reasons. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 5, 11, 17 and 23.

**IV. *Claims 6, 12, 18 and 24 are Patentable over Bennett in view of Kamakura and Mindrum***

Claims 6, 12, 18 and 24 stand rejected under 35 U.S.C. § 103(a) stand rejected as being unpatentable over Bennett in view of Kamakura and further in view of Mindrum. For the following reasons, this rejection is respectfully traversed.

As discussed above, Bennett fails to disclose all features of independent claims 1, 7, 13 and 19, from which claims 6, 12, 18 and 24 depend. As further discussed above, both Kamakura and Mindrum individually fail to compensate for the illustrated deficiencies of Bennett.

Therefore, because Kamakura and Mindrum both fail to cure the deficiencies of Bennett discussed above, claims 6, 12, 18 and 24 are allowable over Bennett in view of Kamakura and Mindrum. Claims 6, 12, 18 and 24 depend from one of claims 1, 7, 13 and 19 and are allowable for at least these reasons. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 6, 12, 18 and 24.

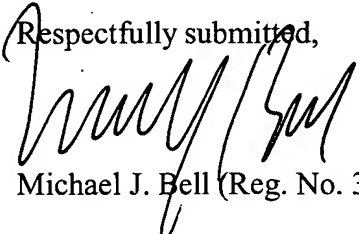
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office

Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

  
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